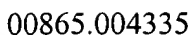


AF #  
2872



# PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

TAKEHIKO NAKAI

Application No.: 09/241,851

Filed: February 2, 1999

For: DIFFRACTIVE OPTICAL  
ELEMENT AND OPTICAL  
SYSTEM HAVING THE SAME

Examiner: A. Chang

Group Art Unit: 2872

January 16, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.136(a)

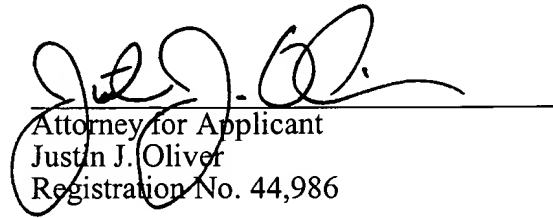
Sir:

Applicant petitions the Commissioner for Patents to extend the time for response to the Office Action dated September 16, 2003, for one month from December 16, 2003, up to January 16, 2004.

Submitted herewith is a check for \$110.00 to cover the fee for the extension under 37 C.F.R. § 1.17. Any deficiency in or overpayment of this fee should be charged or credited to Deposit Account No. 06-1205. A duplicate of this petition is enclosed for that purpose.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Attorney for Applicant  
Justin J. Oliver  
Registration No. 44,986

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200

JJO/tmm

DC\_MAIN 155436v1